

aforesaid, and to whom letters testamentary were regularly granted, have by petition prayed that a law may be passed authorizing them to sell and convey the share or interest which the said Sarah Dyer Bozorth hath in the said land, and to apply the proceeds thereof to her use: Therefore,

SECT. I. *Be it enacted by the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly met, and it is hereby enacted by the authority of the same, That Andrew Bozorth, and doctor Phineas Jenks, executors of Hannah Dyer, deceased, be and they are hereby authorized and empowered by public sale, to sell all the right, title and interest which Sarah Dyer Bozorth hath in the estate devised to her by Hannah Dyer, deceased, for the best possible price that can be procured for the same, and by a sufficient deed convey to the purchaser or purchasers in fee simple all the estate aforesaid; provided, that the said Andrew Bozorth, before the aforesaid executors enter upon the duties directed to be performed by this act, shall enter into a recognizance in the orphans' court of the county of Bucks, with one or more sureties, to the satisfaction of the said court, conditioned that the duties in this act mentioned shall be faithfully performed, and the proceeds of the sale hereby authorized, shall be vested in more productive real estate, unincumbered by ground rent, or otherwise, in trust for the use of the said Sarah Dyer Bozorth, her heirs and assigns.*

Executors of Hannah Dyer, deceased, authorized to convey the right of the said deceased, in a certain estate.

Surety to be given for the faithful performance of their duties.

How proceeds are to be disposed of

JOHN TOD, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the sixteenth day of February, one thousand eight hundred and thirteen.

SIMON SNYDER.

CHAPTER LVIII.

An ACT to authorize the governor to appoint commissioners to lay out certain roads, therein mentioned, and for other purposes.

SECT. I. *BE it enacted by the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly met, and it is hereby enacted by the authority of the same, That the governor be, and he is hereby authorized to appoint three commissioners, one of whom shall be a practical surveyor, to lay out and mark a road, beginning at the town of Indiana, in Indiana county, and from thence by the nearest and best route to Pittsburg, in the county of Allegheny; and the said commissioners shall proceed to perform the said service at such time as the governor shall direct, and they shall deposit a copy of a draught of the said road in the office of the clerk of the*

Governor to appoint three commissioners to lay out and mark a road, beginning at the town of Indiana and terminating at Pittsburg.

Draught of the road to be deposited in the office of the clerk of

court of quarter sessions, in each county through which the said road shall pass, and the said clerks respectively shall enter the same on the records, which shall be a record of the said road ; and from thenceforth shall be to all intents and purposes, a public highway, and shall be opened and kept in repair in the same manner as other roads laid out by the authority of the courts in the counties aforesaid.

the sessions in the respective counties through which it passes. Road to be public and kept in repair in like manner with other roads laid out by the courts.

SECT. II. *And be it further enacted by the authority aforesaid,* That the governor be and he is hereby authorized to appoint three commissioners, one of whom shall be a practical surveyor, to lay out and mark a road beginning at the borough of Bellefont in the county of Centre, and from thence by the nearest and best route to the town of Indiana, in the county of Indiana ; and the said commissioners shall proceed to perform the said service at such time as the governor shall direct ; and they shall deposit a copy of a draught of the said road in the office of the clerk of the courts of quarter sessions in each county through which the said road shall pass, and the said clerks respectively shall enter the same on the records, which shall be a record of the said road, and from thenceforth shall be to all intents and purposes a public highway, and shall be opened and kept in repair in the same manner as other roads laid out by the authority of the courts in the counties aforesaid.

Commissioners to be appointed to lay out and mark a road from Bellefont to the town of Indiana.

Draught to be deposited with the clerk of the proper court.

Road to be public and kept in repair in like manner with other public roads.

SECT. III. *And be it further enacted by the authority aforesaid,* That the road beginning at the Strasburg road near the house of John G. Parke, in the county of Chester, thence leading over M'Call's ferry to the Maryland line, in a direction to the city of Washington, laid out in conformity to an act of assembly passed the twenty-second day of March, one thousand eight hundred and nine, be and the same is hereby directed to be opened to the width of fifty feet, in the same manner as is directed by the first section of this act.

Road from near J. G. Parke, in Chester county to the Maryland line, to be opened 50 feet.

SECT. IV. *And be it further enacted by the authority aforesaid,* That the governor be, and he is hereby authorized to appoint three commissioners, one of whom shall be a practical surveyor, to lay out and mark a road beginning at Jonestown, in Dauphin county and from thence the nearest and best route to Orwigsburg, and from thence by Solomon's gap to Wilkesbarre in Luzerne county ; and the said commissioners shall proceed to perform the said service, at such time as the governor shall direct ; and they shall deposit a copy of the draught of said road in the office of the clerk of the court of quarter sessions, in each county through which the said road shall pass ; and the said clerks respectively shall enter the same on the records which shall be a record of the said road, and from thenceforth shall be to all intents and purposes, a public highway, and shall be opened and kept in repair in the same manner as other roads laid out by the authority of the courts in the counties aforesaid.

Commissioners to be appointed to lay out and mark a road from Jonestown, to Orwigsburg, thence to Solomon's gap to Wilkesbarre.

Draught to be deposited, &c.

Road to be public and kept in repair as other roads, &c.

SECT. V. *And be it further enacted by the authority aforesaid,*

Commissioners' compensation.

That the said commissioners and each of them shall receive three dollars for every day they shall be necessarily employed in the service aforesaid, with a reasonable compensation for the hands necessarily employed in chaining and marking the lines of the roads aforesaid, and the expense that may be so incurred in laying out and marking said roads in each of the said counties, through which it may pass, shall be paid by the counties respectively, in proportion to the distance said roads may pass through the same, on warrants drawn by the county commissioners, of each, on the treasurer thereof, in favour of the commissioners to be appointed, the draught of the said road to be made by the said commissioners: *provided*, that before the said commissioners enter upon the duties of their appointment, they shall each take and subscribe an oath or affirmation, before some judge or justice of the peace, to perform the duties enjoined and required by this act, with fidelity and impartiality, a transcript whereof shall be filed with each draught of the road, and deposited in the respective counties through which the said roads shall pass.

Counties respectively to pay the expense.

Proviso, that commissioners take an oath, &c.

SECT. VI. *And be it further enacted by the authority aforesaid,*

Elevation and depression of the road, &c.

That it shall be the duty of said commissioners, and they are hereby required in laying out each and every of the said roads, whenever the same is conveniently practicable, not to exceed in ascent or descent more than five degrees above or below a horizontal level.

SECT. VII. *And be it further enacted by the authority aforesaid,*

Parties injured how to get damages, &c.

That every person or persons through whose land or lands any road or roads may pass, which shall hereafter be laid out in this commonwealth, by special commissioners, to be appointed by the governor, under any act or acts of the general assembly, shall have like remedy as to damages sustained, under the same rules, regulations, and restrictions, as are enacted and contained in the fourteenth section of the act, entitled, "An act for laying out, making, and keeping in repair, the public roads and highways, within this commonwealth," passed April sixth, one thousand eight hundred and two, for the valuation and payment of damages sustained by laying out any road, by order of the courts of quarter sessions.

JOHN TOD, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the eighteenth day of February, one thousand eight hundred and thirteen.

SIMON SNYDER.